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May 20, 2025

Hon. Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007
VyskocilNYSDChambers@nysd.uscourts.gov
VIA ECF

Re: *Varghese v. Plecosystems Inc, et al*; 1:23-cv-03830-MKV
REQUEST TO APPEAR BY TELEPHONE

Your Honor:


We represent the Plaintiff in the above-referenced action. Pursuant to Your Honor's Order dated May 19, 2025 [Dkt. 39], this case is currently scheduled for a hearing on Plaintiff's Motion for Default Judgment on July 8, 2025, at 11:00 am. Plaintiff and Plaintiff's counsel respectfully request permission to appear by phone as follows.

Plaintiff is based in Georgia and to save him the significant costs and expenses necessitated by an in-person appearance respectfully requests to be excused from attending the hearing altogether if he is not needed or, in the alternative, to appear at the hearing via phone.

While we understand and appreciate the Court providing the Defendant an opportunity to make an appearance, we do not expect anyone from the Defendants' side to appear as they are in default and have not appeared in the case. Plaintiff's counsel therefore also requests permission to appear by phone as well, since the appearance is likely to be largely pro forma. While counsel can and is willing to attend if necessary, she is currently scheduled to be out of state at that time. Regardless, counsel is not requesting that the hearing be rescheduled.

As per Your Honor's individual rule (2)(G), Plaintiff provides the following information:

- i. Original due date: July 8, 2025, at 11:00 a.m.
- ii. Number of previous requests for adjournments or extension of time: None.
- iii. Whether these previous requests were granted or denied: N/A.
- iv. Reason for the current request: Plaintiff lives in Georgia and Plaintiff's counsel is scheduled to be out of state but is available to participate by phone remotely.

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- v. Whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent: N/A. Defendants' counsel, if any, has yet to appear in this case or make themselves known to Plaintiff's counsel and it is not possible to confer with the opposing parties at this time given their nonappearance.

This request does not affect any other scheduled dates.

Thank you for your consideration of this request.

Sincerely,




Penn Dodson, Esq.

penn@andersondodson.com

Plaintiff's request is GRANTED in part and DENIED in part. Plaintiff's request to not attend the hearing is GRANTED, however, Counsel for Plaintiff's request to appear at the default hearing remotely is DENIED.

SO ORDERED.

Date: 6/23/2025
New York, New York


Mary Kay Vyskocil
United States District Judge